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| APPLICATION NO.                                                               | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.  |
|-------------------------------------------------------------------------------|-------------|----------------------|---------------------|-------------------|
| 09/835,018                                                                    | 04/13/2001  | Ivan Wong Yin Yang   | 00100.01.0037       | 3164              |
| 24228                                                                         | 7590        | 03/01/2005           | EXAMINER            |                   |
| MARKISON & RECKAMP, PC<br>PO BOX 06229<br>WACKER DR<br>CHICAGO, IL 60606-0229 |             |                      |                     | DESIR, JEAN WICEL |
|                                                                               |             | ART UNIT             |                     | PAPER NUMBER      |
|                                                                               |             | 2614                 |                     |                   |

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |                     |
|------------------------------|-----------------|---------------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s)        |
|                              | 09/835,018      | YANG, IVAN WONG YIN |
|                              | Examiner        | Art Unit            |
|                              | Jean W. Désir   | 2614                |

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 11-14 and 23-25 is/are allowed.
- 6) Claim(s) 1-10, 15-22 and 26-29 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 April 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Shin et al (US 6,169,580).

#### **Claim 1:**

The claimed “a receiver system having an input for receiving a real time signal and having an output from which is provided digital information representative of the real time signal” is disclosed, see Figs. 1, 2 item 10, col. 1 lines 49-56;

the claimed “an extraction module operatively coupled to the receiver system, the extraction module extracting at least a current time value from the digital information” is disclosed, see Figs. 1, 2 items 11, 16, col. 1 lines 49-56, col. 4 lines 13-19;

the claimed “and an update module operatively coupled to the extraction module, the update module updating the clock in the electronic equipment when the current time value of the digital information differs from a current value of the clock in the electronic

“equipment” is disclosed, see Figs. 1, 2 items 15, 13, 17, col. 1 lines 8-28, col. 4 lines 13-50.

Claim 2 is disclosed, see col. 3 line 56 to col. 4 line 51, col. 5 lines 25-35.

Claim 3 is inherent to Shin’s disclosure.

**Claim 15** is rejected for the same reasons as claim 1.

Claims 16, 17 are rejected for the same reasons as claims 2, 3.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-10, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al (US 6,169,580) in view of Duffield et al (US 5,617,146).

Claim 4:

The claimed “wherein the real time signal is a television signal”, is disclosed see Shin at Figs. 1, 2,

the difference between the claimed invention and Shin’s disclosure is that Shin does not explicitly say that “the channel identification data and the current time value are contained in a vertical blanking interval of the television signal” as claimed.

However, the channel identification data and the current time value of Shin’s disclosure are contained in a channel broadcasting signal (television signal) (see Shin at col. 2

lines 46-47), and it is very well known in the art to provide a wide range of useful information in a vertical blanking interval of the television signal (as evidence see Duffield at col. 1 lines 13-23); thus, the claimed invention would have been obvious to an artisan in view of Shin and Duffield, because the channel identification data and the current time value of Shin's disclosure are not limited to a specific portion of the television signal. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claim 5 is disclosed, see Duffield at col. 9 lines 28-50.

Claim 6 is rejected for the same reasons as claim 4.

Claim 7 is disclosed, see Shin at col. 5 lines 44-46, see Duffield at Fig. 3 items 320, 370.

**Claim 8** is rejected for the same reasons as claims 1-4, and 6-7.

Claim 9 is rejected for the same reasons as claim 4.

Claim 10 is rejected for the same reasons as claim 7.

Claims 18, 19 are rejected for the same reasons as claims 4, 6.

Claims 20-22 are rejected for the same reasons as claims 8-10.

5. Claims 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al (US 6,169,580) in view of Dinwiddie et al (US 6,433,831).

**Claim 26:**

The claimed "a tuner having an input that receives a digital television signal having a transport stream" is disclosed, see Fig. 1, 2 items 10;

the claimed "an update module operatively coupled to the extraction module, the update module updating the clock in the computer when a current value of the current time value of the information data differs from a current value of the clock in the computer" is disclosed, see Figs. 1, 2 items 15, 13, 17, col. 1 lines 8-28, col. 4 lines 13-50;

the difference between the claimed invention and Shin's disclosure is that Shin does not explicitly show a " a digital television demodulator ..., a transport stream parser ..., and extraction module ..." as claimed. However, the structure of the claimed invention is very well known in the field of digital television, as evidence see Dinwiddie at Fig. 1 items 104, 106, 107, col. 4 lines 17-28, and Shin's disclosure is not limited to a particular format of television signal. An artisan would be motivated to combine the references to arrive at the claimed invention; this combination would provide information data in the PSIP (Program and System Information Protocol) digital payload. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claims 27-29 are disclosed, see Shin at col. 3 line 56 to col. 4 line 51, col. 5 lines 25-35, col. 5 lines 44-46.

#### ***Allowable Subject Matter***

6. Claims 11-14, 23-25 are allowed.

#### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (703) 308 9571. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305 4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*JWD*  
Feb. 10, 05



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